

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)
2023-0817

POWERS KIRN, LLC
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308 Harper Drive, Suite 210
Moorestown, NJ 08057
856-802-1000
Attorney for Bank of America, N.A.

In Re:

Wilhelm Ernst Holscher
aka William Ernst Holscher

Debtor(s)



Order Filed on June 11, 2024
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Case No.: 23-10574-ABA

Chapter: 13

Hearing Date: 06/11/2024

Judge: Honorable Andrew B. Altenburg Jr.

Oral Argument Waived

Recommended Local Form:


☒ Followed

☐ Modified

ORDER GRANTING MOTION FOR RELIEF FROM STAY

The relief set forth on the following page is hereby **ORDERED**.

DATED: June 11, 2024



Honorable Andrew B. Altenburg, Jr.
United States Bankruptcy Court

Upon the motion of Powers Kirn, LLC, Attorney for Bank of America, N.A., debtor(s)' mortgagee, under Bankruptcy Code section 362(d) for relief from the automatic stay and Bankruptcy Code section 1301 for relief from the co-debtor stay as to certain property as hereinafter set forth, and for cause shown, it is

ORDERED that the motion is granted and the stay of 11 U.S.C. §362(a) and the co-debtor stay of 11 U.S.C. §1301 are terminated to permit the movant to institute or resume and prosecute to conclusion one or more actions in the court(s) of appropriate jurisdiction to pursue the movant's rights in the following:

☒ Real property more fully described as: 700 Avondale Ave, Haddonfield, NJ 08033-3008

It is further ORDERED that the movant, its successors or assignees, may proceed with its rights and remedies under the terms of the subject mortgage and pursue its state court remedies including, but not limited to, taking the property to sheriff's sale, in addition to potentially pursuing other loss mitigation alternatives, including, but not limited to, a loan modification, short sale or deed-in-lieu of foreclosure. Additionally, any purchaser of the property at sheriff's sale (or purchaser's assignee) may take any legal action for enforcement of its right to possession of the property.

☐ Personal property more fully described as:

It is further ORDERED that the movant may join the debtor and any trustee appointed in this case as defendants in actions(s) irrespective of any conversion to any other chapter of the Bankruptcy Code.

It is further ORDERED that the movant shall be permitted to reasonably communicate with Debtor(s) and Debtor(s)' counsel to the extent necessary to comply with applicable non-bankruptcy law.

It is further ORDERED that the Trustee is directed to cease making any further distributions to the Creditor.

The movant shall serve this order on the debtor, any trustee and any other party who entered an appearance on the motion.

In re:
Wilhelm Ernst Holscher
Debtor

Case No. 23-10574-ABA
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-1
Date Rcvd: Jun 11, 2024

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jun 13, 2024:

Recip ID	Recipient Name and Address
db	+ Wilhelm Ernst Holscher, 700 Avondale Avenue, Haddonfield, NJ 08033-3008

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jun 13, 2024

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on June 11, 2024 at the address(es) listed below:

Name	Email Address
Albert Russo	docs@russotrustee.com
Albert Russo	on behalf of Trustee Albert Russo docs@russotrustee.com
Brian E Caine	on behalf of Creditor Bank of America N.A. bcaine@parkermccay.com, BKcourtnotices@parkermccay.com
Denise E. Carlon	on behalf of Creditor BANK OF AMERICA N.A. dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Isabel C. Balboa	on behalf of Trustee Isabel C. Balboa ecfmail@standingtrustee.com summarymail@standingtrustee.com
Kevin C. Fayette	on behalf of Debtor Wilhelm Ernst Holscher kfayette@kevinfayette.com

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Total Noticed: 1

Matthew K. Fissel

on behalf of Creditor Wells Fargo Bank N.A. NJBKR@brockandscott.com, matthew.fissel@brockandscott.com

Shannon Burrini

on behalf of Creditor Pro Cap 8 FBO Firsttrust Bank shannonb@procapllc.onmicrosoft.com

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

William M. E. Powers, III

on behalf of Creditor Bank of America N.A. ecf@powerskim.com

William M.E. Powers

on behalf of Creditor Bank of America N.A. ecf@powerskim.com

William M.E. Powers, III

on behalf of Creditor Bank of America N.A. ecf@powerskim.com

TOTAL: 12